

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ERIC BROWN,  
PATRICK D. MAXWELL,  
LERMEDEYO MALONE,  
REGINALD PULLEN,  
RODNEY CRAINE,  
DARREN K. COX,  
BRIAN COX,  
JAMES TUNSTALL,  
RODNEY TUNSTALL,  
RANDY TAYLOR,  
ERICK WILLIAMS,  
JULIUS JAMAR WINDER,

Defendants.

) FILED UNDER SEAL

) CR. NO. 03-20169-B

) 21 U.S.C. § 846

) 21 U.S.C. § 841(a)(1)

) 21 U.S.C. § 843(b)

) 21 U.S.C. § 853

) 18 U.S.C. § 924(c)

) 18 U.S.C. § 922(g)

) 18 U.S.C. § 2

**FILED BY**

*[Signature]*

SEP 24 2003

Robert R. Di Trolio, Clerk  
U. S. DIST COURT  
W. D. OF TN, MEMPHIS

**SUPERSEDING INDICTMENT**

**THE GRAND JURY CHARGES:**

**COUNT ONE**

Beginning at a time unknown to the Grand Jury, but at least from in or about March 2002, through at least the date of this indictment, in the Western District of Tennessee and elsewhere, the defendants,

ERIC BROWN,  
PATRICK D. MAXWELL,  
LERMEDEYO MALONE,  
REGINALD PULLEN,  
RODNEY CRAINE,  
DARREN K. COX,  
BRIAN COX,

FILED UNDER SEAL

54

**JAMES TUNSTALL,  
RODNEY TUNSTALL,  
RANDY TAYLOR,  
and  
ERICK WILLIAMS,**

did unlawfully, knowingly and intentionally conspire, combine, confederate and agree with each other, and with other persons both known and unknown to the Grand Jury, to possess with the intent to distribute and to distribute in excess of 5 kilograms of a mixture and substance containing a detectable amount of cocaine, a controlled substance as classified by Title 21, United States Code, Section 812 as a Schedule II controlled substance, and in excess of 50 grams of a mixture and substance containing a detectable amount of cocaine base, a controlled substance as classified by Title 21, United States Code, Section 812 as a Schedule II controlled substance, in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

On or about April 29, 2003, in the Western District of Tennessee and elsewhere, the defendants,

**ERIC BROWN,  
DARREN K. COX,  
and  
BRIAN COX,**

each aided and abetted by the other, did unlawfully, knowingly and intentionally attempt to possess with the intent to distribute in excess of 500 grams of a mixture and substance containing a detectable amount of cocaine, a controlled substance as classified by Title 21, United States Code, Section 812 as a Schedule II controlled substance, in violation of Title 21, United States Code, Section 846 and Title 18, United States Code, Section 2.

**COUNT THREE**

On or about April 29, 2003, in the Western District of Tennessee and elsewhere, the defendant,

**ERIC BROWN,**

did unlawfully, knowingly and intentionally use a communication facility, to wit, Sprint Spectrum LP cellular telephone (404) 964-7112, in causing or facilitating the commission of the distribution of cocaine, a controlled substance as classified by Title 21, United States Code, Section 812 as a Schedule II controlled substance, constituting a felony under Title 21, United States Code, Section 841(a)(1), in violation of Title 21, United States Code, Section 843(b).

**COUNT FOUR**

On or about July 30, 2003, in the Western District of Tennessee, the defendant,

**REGINALD PULLEN.**

did unlawfully, knowingly and intentionally possess with the intent to distribute and distributed cocaine, a controlled substance as classified by Title 21, United States Code, Section 812 as a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

**COUNT FIVE**

On or about August 1, 2003, in the Western District of Tennessee, the defendants,

**JAMES TUNSTALL,  
and  
RODNEY TUNSTALL,**

each aided and abetted by the other, did unlawfully, knowingly and intentionally possess with the intent to distribute in excess of 50 grams of a mixture and substance containing cocaine base, a controlled substance as classified by Title 21, United States Code, Section 812 as a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

**COUNT SIX**

On or about August 1, 2003, in the Western District of Tennessee, the defendants,

**JAMES TUNSTALL,  
and  
RODNEY TUNSTALL,**

each aided and abetted by the other, did unlawfully, knowingly and intentionally possess with the intent to distribute cocaine, a controlled substance as classified by Title 21, United States Code, Section 812 as a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

**COUNT SEVEN**

On or about August 1, 2003, in the Western District of Tennessee, the defendant,

**JAMES TUNSTALL,**

did unlawfully, knowingly and intentionally use a firearm, specifically a 45 caliber Tarus model PR-145 pistol, serial no. NUL 18378, during and in relation to drug trafficking crimes for which he may be prosecuted in a court of the United States, to wit, the violations of Title 21, United States Code, Sections 846 and 841(a)(1) and Title 18, United States Code, Section 2 described in Counts One, Five and Six (which descriptions are hereby incorporated by reference), in violation of Title 18, United States Code, Section 924(c).



**COUNT EIGHT**

On or about August 1, 2003, in the Western District of Tennessee, the defendant,

**RODNEY TUNSTALL,**

having been convicted of crimes punishable by imprisonment for a term exceeding one year, did unlawfully, knowingly and intentionally possess in and affecting commerce a firearm, specifically a 20 gauge shotgun, Stevens model 67, serial number D981254, which had been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Section 922(g).

**COUNT NINE**

On or about September 6, 2003, in the Western District of Tennessee, the defendant,

**LERMEDEYO MALONE,**

did unlawfully, knowingly and intentionally possess with the intent to distribute and distributed in excess of 500 grams of a mixture and substance containing a detectable amount of cocaine, a controlled substance as classified by Title 21, United States Code, Section 812 as a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

**COUNT TEN**

On or about September 6, 2003, in the Western District of Tennessee, the defendant,

**JULIUS JAMAR WINDER,**

did unlawfully, knowingly and intentionally possess with the intent to distribute in excess of 500 grams of a mixture and substance containing a detectable amount of cocaine, a controlled substance as classified by Title 21, United States Code, Section 812 as a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

### **FORFEITURE**

1. The allegations contained in Counts 1 through 6 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853.

2. From their engagement in any or all of the violations alleged in Counts 1 through 19 of this Indictment, punishable by imprisonment for more than one year, which counts are realleged and incorporated as if more fully set forth herein, the defendants shall forfeit to the United States pursuant to Title 21, United States Code, Sections 853(a)(1) and (2), all of their interest in: property constituting and derived from any proceeds the defendants obtained, directly or indirectly, as a result of such violations; and property used and intended to be used in any manner or part to commit and to facilitate the commission of such violations. Such property includes, but is not limited to, the following:

a. \$2,372,775.00 in United States currency;

b. Real property as follows:

1. One parcel of real property located at 6159 Belair Lake, Lithonia, GA 30038;

2. One parcel of real property located at 8345 Westbrook, Olive Branch, MS 38654;

3. One parcel of real property located at 4327 Snowmass Memphis, TN 38141; and

4. One parcel of real property located at 7655 Parkmont, Memphis, TN 38141.

b. Vehicles as follows:

Make	Model	Year	Tag Number	Tag State	Owner	Owner Address	Vehicle Identification Number
Freightliner	TR	1980	VR49 HY	TN	Brown, Eric	1588 Barnes Ct., Memphis, TN	CB113HP178999
Nissan	Maxima	1997	SPX831	MS	Brown, Eric	8345 Westbrook, Olive Branch, MS	JN1CA21D0VT806890
Nissan	Maxima	1997	126XT P	TN	Brown, Eric	4889 Blue Wing, Memphis, TN	JN1CA21D4VT857194
Dodge	Ram Van	1998	CXL654	TN	Brown, Eric	1588 Barnes Ct., Memphis, TN	2B5WB35Z6WK124934
Harley Davidson	FXT	1999	MC0N 8304	MS	Brown, Eric	8345 Westbrook, Olive Branch, MS	4K7S8135X XC006720
Ford	Expedition	2000	HYZ186	TN	Brown, Eric	1588 Barnes Ct., Memphis, TN	1FMRU17L7YLA69047
Mercedes Benz	E320	2000			Brown, Eric	8345 Westbrook, Olive Branch, MS	WDBJF65J0YB054050
Mercedes Benz	S430	2001	SNS907	MS	Brown, Eric	8345 Westbrook, Olive Branch, MS	WDBNG70J71A214738
Cadillac	Escalade	2002	HYZ069	TN	Brown, Eric	1588 Barnes Ct., Memphis, TN	1GYEK63N62R100378
Ford	F150	2002	HYZ186	TN	Brown, Eric	1588 Barnes Ct., Memphis, TN	1FTRW07332KD37372

Make	Model	Year	Tag Number	Tag State	Owner	Owner Address	Vehicle Identification Number
Mercedes Benz	G500	2002	519DB A	MS	Brown, Eric	8345 Westbrook, Olive Branch, MS	WDCYR49E 82X129526
Chevrolet	Silverado	2001	3KIDS	TN	Maxwell, Kimberly	7655 Parkmont, Memphis, TN	1GCJC33G 01F146533
Hort (Trailer)	Cargo	2002	48725 AC	GA	Maxwell, Patrick	261 Crowell Rd., Covington, GA 30014-3376	5E2B12022 21008088
Lexus	LX450	1997	798XT P	TN	Maxwell, Patrick & Kimberly	7655 Parkmont, Memphis, TN	JT6HJ88J1 V0175254
Chevrolet	Monte Carlo	1972	23776 3	GA	Maxwell, Patrick D.	3290 Golfe Links Drive, Snellville, GA 30039-4719	1H57J2R58 0512
Freightliner	FLD12 064	1993			Maxwell, Patrick D.	7655 Parkmont, Memphis, TN	1FUYDSYB 3PH489989
Freightliner	FLD12 064	1993	MC12 NY	TN	Maxwell, Patrick D.	7655 Parkmont, Memphis, TN	1FUYDSYB XPH489990
International	9400	1995	NC07 HY	TN	Maxwell, Patrick D.	7655 Parkmont, Memphis, TN	2HSFHALR 3SC015324
Freightliner		1997	NC07 HY	TN	Maxwell, Patrick D.	7655 Parkmont, Memphis, TN	2FUYDZYB 3VA701377
Dodge	B1500	1999	6698S F	TN	Maxwell, Patrick D.	7655 Parkmont, Memphis, TN	2B6HB11Z9 XK584802

Make	Model	Year	Tag Number	Tag State	Owner	Owner Address	Vehicle Identification Number
Suzuki	GSX750F	2001	ZF0162	TN	Maxwell, Patrick D.	7655 Parkmont, Memphis, TN	JS1GR7GA612100907
BMW	760Li	2003	1392A SL	GA	Maxwell, Patrick D. & Kimberly E.	3290 Golfe Links Drive, Snellville, GA 30039-4719 and 5850 Hillandale Drive, Apt. 1523, Lithonia, GA 30058-4925	WBAGN83403DK10458
Hummer	H2	2003	KIMS H2	GA	Maxwell, Patrick D. & Kimberly E.	3290 Golfe Links Drive, Snellville, GA 30039-4719 and 5850 Hillandale Drive, Apt. 1523, Lithonia, GA 30058-4925	5GRGN23U13H104849
Chevrolet	Corvette	1997	WH9008	TN	Owens, Helen	1588 Barnes Ct., Memphis, TN	1G1YY22G5V5104598
Lexus	LS430	2001	6380 WH	TN	Owens, Helen M.	1588 Barnes Ct., Memphis, TN	JTHBN30F310040654
Nissan	Maxima	1992	MCL313	TN	Pullen, Reginald	633 Stephens, Memphis, TN	JN2HJ01F9NT007363
Pontiac	Grand Am	2000	GDH938	TN	Pullen, Reginald	633 Stephens, Memphis, TN	1G2NF52T6YM846392

Make	Model	Year	Tag Number	Tag State	Owner	Owner Address	Vehicle Identification Number
Toyota	Land-cruiser	2000	HWC120	TN	Pullen, Reginald	633 Stephens, Memphis, TN	JT3HT05J6Y0082358
GMC	Yukon	2003	HWC120	TN	Pullen, Reginald	633 Stephens, Memphis, TN	1GKEK63U33J183009

3. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants;

- a. Cannot be located upon the exercise of due diligence;
- b. Has been transferred, sold to or deposited with, a third person;
- c. Has been placed beyond the jurisdiction of the Court;
- d. Has been substantially diminished in value; or,
- e. Has been commingled with other property which cannot be subdivided

without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

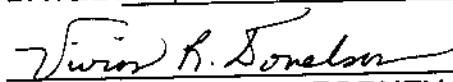
All in violation of Title 21, United States Code, Section 853.

A TRUE BILL: 

s/Grand Jury Foreperson

FOREPERSON

DATED: 9-24-03

  
UNITED STATES ATTORNEY